

BEFORE THE IDAHO BOARD OF TAX APPEALS

JIM BROCK,)	
)	
Appellant,)	APPEAL NO. 14-A-1119
)	
v.)	FINAL DECISION
)	AND ORDER
CANYON COUNTY,)	
)	
Respondent.)	
)	
)	
)	

RESIDENTIAL PROPERTY APPEAL

This appeal is taken from a decision of the Canyon County Board of Equalization denying the protest of valuation for taxing purposes of property described by Parcel No. 313601180. The appeal concerns the 2014 tax year.

This matter came on for hearing October 28, 2014 in Caldwell, Idaho before Board Member Leland Heinrich. Appellant Jim Brock was self-represented. Chief Appraiser Brian Stender represented Respondent.

Board Members David Kinghorn, Linda Pike and Leland Heinrich participated in this decision.

The issue on appeal concerns the market value of an improved residential property.

The decision of the Canyon County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed land value is \$21,000, and the improvements' valuation is \$109,600, totaling \$130,600. Appellant contends the correct land value is \$10,800, and the improvements' value is \$96,000, totaling \$106,800.

The subject property is a 1,386 square foot residence situated on a .12 acre lot in The Ranch subdivision in Nampa, Idaho. The residence, constructed in 2006, includes

three (3) bedrooms, two (2) bathrooms, and an attached garage.

Appellant argued the roughly 45% increase in subject's assessed value for the current tax year was excessive and not supported by relevant market data. Appellant provided information regarding nineteen (19) improved residential sales from subject's general area. Most of the sales took place during 2013, however, one (1) was from 2010 and another closed in February 2014. The sale residences were similar to subject in terms of size and bedroom and bathroom counts. Sale prices ranged from \$74,400 to \$122,500. Respondent contended the sale properties were inferior to subject in terms of construction quality and location. Respondent characterized subject's subdivision as "upper end", with high quality and custom residential construction. Some of the sales were also noted to be distressed.

Appellant also referenced a newspaper article from the Idaho Statesman from June 2014. The subject of the article was the increase in residential assessed values over the prior year. Appellant noted none of the areas mentioned in the article saw value increases approaching the 45% increase subject experienced. Respondent countered the article was focused on values in Ada County, which is a different real estate marketplace than Canyon County.

Respondent's analysis focused on four (4) improved residential sales from 2013. Sale No.1, located in subject's subdivision, concerned a .10 acre lot improved with a 1,406 square foot residence constructed in 2006. The property sold in August 2013 for \$132,500. Sale No. 2 was located in a different subdivision, but was regarded as similar

in quality to subject's development. The property included a 1,405 square foot residence attached to a .10 acre lot. The property sold in May 2013 for \$135,500. Sale Nos. 3 and 4 were described as less comparable to subject due primarily to age and location. The residences were 1,377 and 1,386 square feet in size and were constructed in 1992 and 1999, respectively. Sale prices were \$122,000 for Sale No. 3 and \$124,900 for Sale No. 4.

CONCLUSIONS OF LAW

This Board's goal in its hearings is the acquisition of sufficient, accurate evidence to support a determination of fair market value, or as applicable exempt status. This Board, giving full opportunity for all arguments and having considered all testimony and documentary evidence submitted by the parties in support of their respective positions, hereby enters the following.

Idaho Code § 63-205 requires taxable property be assessed at market value annually on January 1; January 1, 2014 in this case. Market value is defined in Idaho Code § 63-201, as,

“Market value” means the amount of United States dollars or equivalent for which, in all probability, a property would exchange hands between a willing seller, under no compulsion to sell, and an informed, capable buyer, with a reasonable time allowed to consummate the sale, substantiated by a reasonable down or full cash payment.

Market value is estimated according to recognized appraisal methods and techniques. There are three (3) approaches to value, the sales comparison approach, the cost approach, and the income approach. *Merris v. Ada County*, 100 Idaho 59, 63, 593

P.2d 394, 398 (1979). Residential properties like subject are generally valued using a sales comparison analysis.

The parties both provided a good amount of market value data for the Board's consideration. Appellant's information included nineteen (19) improved residential sales from subject's general area. The sale residences resembled subject in terms of size and bedroom and bathroom count, however, details regarding other features were absent in the record. In particular, the Board would have preferred more information related to quality, age, and location so the sale properties could be better compared to subject. It was also not clear which of Appellant's sales may have been distressed.

Respondent likewise offered timely sales information in support of subject's assessed value. Two (2) of the sales were regarded as highly similar to subject, while the remaining two (2) sales involved older residences characterized as somewhat inferior to subject in terms of quality. Respondent did not attempt to make individual value adjustments for differences between subject and the sale properties, but rather used the sales to demonstrate a range of value. Subject was assessed at \$94.22 per square foot, which Respondent noted was within the \$88.59 to \$96.09 per square foot range indicated by the sales.

In appeals to this Board, the burden is with the Appellant to establish subject's valuation is erroneous by a preponderance of the evidence. Idaho Code § 63-511. Given the evidence presented in this matter, the Board finds Appellant did not satisfy the burden of proof. Of the sales presented, Respondent's Sale Nos. 1 and 2 were the most

comparable to subject in both physical characteristics and location. As noted earlier, Appellant's evidence omitted some of these key value factors, which made it difficult for the Board to compare subject to the sale properties. Subject's assessed value is near the upper range of value indicated by the sales, but the Board did not find sufficient cause to reduce the value.

Based on the above, the decision of the Canyon County Board of Equalization is affirmed.

FINAL ORDER

In accordance with the foregoing Final Decision, IT IS ORDERED that the decision of the Canyon County Board of Equalization concerning the subject parcel be, and the same hereby is, AFFIRMED.

DATED this 26th day of February, 2015.